UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,119	06/30/2006	Yasuo Nishizawa	P71342US0	9913

136 7590 03/04/2008

JACOBSON HOLMAN PLLC
400 SEVENTH STREET N.W.
SUITE 600
WASHINGTON, DC 20004

EXAMINER	
ROSTAMI, MOHAMMAD S	
ART UNIT	PAPER NUMBER
2169	
MAIL DATE	DELIVERY MODE
03/04/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/585,119	NISHIZAWA, YASUO	
	Examiner	Art Unit	
	MOHAMMAD S. ROSTAMI	2169	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *June 30, 2006* is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *February 25, 2008*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This is in response to application filed on June 30, 2006 in which claims 1-9 are presented for examination.

Status of Claims

Claims 1-9 are pending of which claim 1 is in independent form. Specification has been objected to. Claims 1-9 are rejected under 35 U.S.C. 101. Claim 1 is rejected under 35 U.S.C. 112, second paragraph. Claims 1-9 are rejected under 35 U.S.C. 102(b).

Specification

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

(a) TITLE OF THE INVENTION.
(b) CROSS-REFERENCE TO RELATED APPLICATIONS.
(c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
(d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
(e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
(f) BACKGROUND OF THE INVENTION.
(1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
(g) BRIEF SUMMARY OF THE INVENTION.
(h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
(i) DETAILED DESCRIPTION OF THE INVENTION.
(j) CLAIM OR CLAIMS (commencing on a separate sheet).
(k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
(l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

The disclosure is objected to because of the following informalities: Claim language was used in the specification (page 12, paragraph [0031] to page 16, paragraph [0039]). Claims have to be on a separate page and not included in the specification. Section (j) above was attached for better representation from the examiner.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claim 1, the word "means" is preceded by the word(s) "crawling (3rd limitation)" in an attempt to use a "means" clause to recite a claim element as a means for performing a specified function. However, since no function is specified by the word(s) preceding "means," it is impossible to determine the equivalents of the element,

as required by 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967).

Claim 1 recites the limitation "system which is intended to execute" in the 4th limitation. There is insufficient antecedent basis for this limitation in the claim. The word "intended" is an indefinite term and does not carry any patentable weight.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 1 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The claims above lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." Both types of "descriptive material" are nonstatutory when claimed as descriptive material *per se*, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable

medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)

Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See Diehr, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in *Benson* were unpatentable as abstract ideas because "[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer.")

As per claim 1, is a "system" claim, the claim lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." Both types of "descriptive material" are nonstatutory when claimed as descriptive material *per se*, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive

material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)

Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See Diehr, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in *Benson* were unpatentable as abstract ideas because "[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer.")

As per claims 2-9, the dependent claims but not specifically addressed in the body of the rejection have inherited the deficiencies of their parent claim and have not resolved of claim 21 included in the statement of rejection the deficiencies. Therefore, they are rejected based on the same rationale as applied to their patent claim above.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by US Publication No. US 2003/0135464 A1 issued to Magda Mourad (hereinafter Mourad).

As per claim 1, Mourad discloses that, "Plurality of client personal computers connecting to Internet or Intranet" The End -User Device(s) include PCS, set top boxes (IRDs), and Internet appliances (page 6, paragraph [0164]).

Additionally, Mourad teaches that, "WWW display server which displays WEB pages described in HTML in accordance with a request from the said client terminal" HTML to Display--One or more HTML pages that the End-User Player Application 195 displays in the Internet browser window upon receipt of the Transaction SC(s) 640 or during the interaction between the End-User Device(s) 109 and the ClearingHouse(s) 105 (page 21, paragraph [0418]).

Moreover, Mourad teaches that, "said crawling system which automatically gathers contents of the outside commerce site (A) and inside commerce site (B) in the form of the same structured static HTML page by automatically tracing the said contents from the top page of the said site and by analyzing link structure of the said homepage and each page structure of the said homepage" the Server /Crawler 2714 retrieves content to be transmitted using a technique known as "Web crawling" in which a crawler automatically retrieves, recursively, content references via identifiers such as URLs or some other retrieval process (page 49, paragraph [0978]). Mourad further discloses that, the Transaction Processor Module 175 requires three pieces of information from the commerce handling process of the Electronic Digital Content Store(s) 103: the

Product IDs for the Content 113 purchased transaction Data 642, and an HTML page or CGI URL acknowledging the purchase settlement (page 46, paragraph [0929]). Mourad further teaches that, a Work Flow Manager Tool 154 schedules Content 113 to be processed and tracks the Content 113 as it flows through the various steps of Content 113 preparation and packaging to maintain high quality assurance (pages 7-8, paragraph [0183]).

Furthermore, Mourad teaches that, "said tracking system which is intended to execute tracking transaction with outside comprising display tracking system, transaction tracking system, proxy server, tracking analyzing server which analyzes and stores said tracking data, and tracking analyzing database" Electronic Digital Content Store(s) 103 use tools provided by the Secure Digital Content Electronic Distribution System 100 to assist with: metadata extraction, secondary usage conditions, SC packaging, and tracking of electronic content transactions. (page 8, paragraph [0187]). Mourad further teaches that, networks other than the Internet are supported in this model as well, as long as they conform to the Web Server/Client Browser model (page 43, paragraph [0899]). Mourad further teaches that, a Work Flow Manager Tool 154 schedules Content 113 to be processed and tracks the Content 113 as it flows through the various steps of Content 113 preparation and packaging to maintain high quality assurance (page 7, paragraph [0183]).

Additionally, Mourad teaches that, "said HTML contents database storing static HTML contents maintaining its link structure which are gathered by crawling the outside commerce site and/or by using off-line media such as DVD and CD-ROM from said

commerce site" the promo cache 2722 stores promotions received by the End User Device(s) 109 and similarly the Album+DSC(s) 2724 stores the Content SC(s) 641 (page 50, paragraph [0982]). Mourad further teaches that, the two main actions which the user may take are to request to download the currently advertised content, or to browse the static offering or dynamic offering catalog (page 57, paragraph [1215]).

Furthermore, Mourad discloses that, "said database storing optimized structured HTML contents which possesses the optimized structure based on the said HTML contents database" the promo cache 2722 stores promotions received by the End User Device(s) 109 and similarly the Album+DSC(s) 2724 stores the Content SC(s) 641 (page 50, paragraph [0982]).

Moreover, Mourad discloses that, "said HTML constructing generation system comprising of the control manager, which integrally controls both dynamic and static contents to be generated each time in order to generate the said optimized structured HTML, a Make robot which actually generates the most optimized link structure and the most optimized page structure, a Put robot which outputs the said generated HTML contents being most optimized structured into the display server" Packages 2006 are organized in two sets : static offering (not shown) and dynamic offering (not shown). The static offering represents the set of active packages 2006, i.e., packages 2006 that currently being broadcasted in carousel. The dynamic offering represents a set of packages 2006 that are available at the server and not currently broadcasted. The static offering set is in turn organized in two subsets: video-clip static-offering and video-catalog static-offering. The video clip static offering represents the sets of packages

2006 that have an active video clip, while the video catalog static offering represents the set of packages 2006 that do not have an active video clip (page 48, paragraph [0960]). Mourad further teaches that, in one embodiment, the Server /Crawler 2714 retrieves content to be transmitted using a technique known as "Web crawling" in which a crawler automatically retrieves, recursively, content references via identifiers such as URLs or some other retrieval process. In another embodiment, the Electronic Digital Content Store(s) 103 may "push" content embodied in the Offer SC(s) 641 and the Content SC(s) 630 (page 49, paragraph [0978]).

Moreover, Mourad discloses that, "a group of display servers comprising of a mail server, affiliate engine system, mobile server, paid listing server, alert system purpose server, multimedia display purpose system, and call system" The following description is based upon Content 113 being music but it should be understood by those skilled in the art that other content types e.g., video, programs, multimedia, movies, and equivalent, are within the true scope and meaning of the present invention (page 35, paragraph [0783]). Furthermore Mourad teaches that, track position control /display, Audio channel volume level display and more. Function for the End-User Display 1510 include (corresponding screens of an End-User Interface are shown 1601-1605): Play-list of display container, Display of Digital, content Library 196, Song List display container and more Metadata display container (page 54, paragraphs [1040]-[1111]).

Moreover, Mourad discloses that, "said marketing control system which controls and displays for marketing purpose in the said structured HTML generation system and

other said display server groups in accordance with automatic and manual input, based on the information from the tracking analyzing server, in accordance with the rule recorded in SEO (Search Engine Optimization) rule data base and marketing rule database" Electronic Digital Content Store(s) 103 are the entities who market the Content 113 through a wide variety of services or applications, such as Content 113 theme programming or electronic merchandising of Content 113. Electronic Digital Content Store(s) 103 manage the design, development, business operations, settlements, merchandising, marketing, and sales of their services. Example online Electronic Digital Content Store(s) 103 are Web sites that provide electronic downloads of software (page 8, paragraph [0186]). Mourad teaches that, HTML to Display--One or more HTML pages that the End-User Player Application 195 displays in the Internet browser window upon receipt of the Transaction SC(s) 640 or during the interaction between the End-User Device(s) 109 and the ClearingHouse(s) 105 (page 21, paragraph [0418]).

Additionally, Mourad teaches that, "said system being characterized by enabling to display the most optimized structured HTML contents group in the said site operated by the operator of said transaction platform through the WWW display server, and simultaneously to display the said HTML contents as the optimized HTML structured homepage on the said outside commerce server by returning the optimized contents to the commerce display server of said outside commerce server, after automatically generating the most optimized structured HTML contents group by automatically operating the said optimized HTML constructing generation system in accordance with

the rule recorded in SEO rule database, by automatically functioning the automatic intelligent control system and actually operating the most optimized SEO, based on the analyzing result from the tracking data, and by storing the generated HTML contents" FIG. 12 is a flow diagram of a method to automatically retrieve additional information for the Automatic Metadata Acquisition Tool of FIG. 8 according to the present invention (page 4, paragraph [0033]). Mourad further teaches that, FIG. 13 is a flow diagram of a method to automatically set the Preprocessing and Compression parameters of the Preprocessing and Compression Tool of FIG. 8 according to the present invention (page 4, paragraph [0034]). Mourad additionally teaches that, FIG. 17 is a flow diagram of an alternate embodiment to automatically retrieve additional information for the Automatic Metadata Acquisition Tool of FIG. 8 according to the present invention (page 4, paragraph [0038]). Mourad in addition teaches. The Usage Conditions for the Content 113 are entered into the Content Information Processing Subsystem, this can be done either manually or automatically. This data includes copy restriction rules and any other business rules deemed necessary. All of the metadata entry can occur in parallel with the Audio Processing for the data (page 12, paragraph [0267]). Mouread further explains that, if the required information needed to perform a query to the Database 160 of the Content Provider(s) 101 is specified, the job is processed by the Automatic Metadata Acquisition Process 803 (page 31, paragraph [0632]).

As per claim 2, Mourad discloses that, "The system accordinq to claim 1 characterized by enabling HTML optimization by activating the said crawling function

and gathering HTML contents into inside of said the platform by equally handling both the outside commerce site (A) and contents included in the inside contents of the said commerce site (B) stored inside the said transaction platform" In one embodiment, the Server /Crawler 2714 retrieves content to be transmitted using a technique known as "Web crawling" in which a crawler automatically retrieves, recursively, content references via identifiers such as URLs or some other retrieval process. In another embodiment, the Electronic Digital Content Store(s) 103 may "push" content embodied in the Offer SC(s) 641 and the Content SC(s) 630 (page 49, paragraph [0978]).

As per claim 3, Mourad teaches that, "The system accordinq to claim 1 being characterized by enabling to generate the most optimized structured HMTL contents by making the said platform manage and control the said transaction volume of the said commerce site by means of the interlocking tracking module and tracking system, and by functioning the said control system in order to maximize the marketing effect at most based on the analyzed result in accordance with rule and the manual instruction and order after simultaneously delivering the analyzed tracking data to the marketing control system" A Work Flow Manager Tool 154 schedules Content 113 to be processed and tracks the Content 113 as it flows through the various steps of Content 113 preparation and packaging to maintain high quality assurance. The term metadata is used throughout this document to mean data related to the Content 113 and in this embodiment does not include the Content 113 itself (pages 7-8, paragraph [0183]). Mourad further teaches that, Electronic Digital Content Store(s) 103 use tools provided

by the Secure Digital Content Electronic Distribution System 100 to assist with: metadata extraction, secondary usage conditions, SC packaging, and tracking of electronic content transactions (page 8, paragraph [0187]). Mouradt further teaches that, before transmitting the Content SC(s) 630 to the End-User Device(s) 109, analysis and verifications are performed on the End-User's request. A database is kept of all of the License SC IDs that have been used to download Content 113 (page 42, paragraph [0876]).

As per claim 4, Mourad teaches that, "The system according to claim 1 characterized by automatically executing optimized HTML constructing generation in order to automatically execute SEO in accordance with memorized SEO related rule, by automatically analyzing actual tracking data from time to time, while holding manual operation function" Track List button; Track List Information object; Track List Selector object (click to play); Track Name object; Track Information object; Track Lyrics button; Track Lyrics object; Track Artist Name object; Track Credits button; Track Credits object (page 54, paragraph [1054]-[1063]). Mourad further teaches that, the Automatic Metadata Acquisition Tool is used to access the Database 160 of the Content Provider(s) 101 and to retrieve as much data as possible without operator assistance. Configuration methods are available to automate this process. The Content Provider(s) 101 can tailor the default metadata template to identify the types of data this Content Provider(s) 101 wants to provide to End-User(s) (e.g., composer, producer, sidemen,

track length) and the types of promotional data the Content Provider(s) 101 provides to the Electronic Digital Content Store(s) (page 36, paragraph [0791]).

As per claim5, Mourad teaches that, "The system accordinq to claim 1 being characterized by capability to automatically execute most optimized HTML structuring in order to make the said homepage contents be object of search engines as much as possible, by automatically tracking all marketing related data including opening ratio of the said mail, navigation ratio from affiliate sites, occurring transaction number, response ratio from mobile terminals, response ratio and/or transaction ratio from alert system and response ratio from multimedia terminal including PDA and digital TV, response ratio against the paid listing service" if the IRD back-channel serial interface were connected to the web, and the IRD supported web navigation, the End-User(s) could navigate the digital content service in the usual way via the back-channel Internet interface, previewing and selecting Content 113 to purchase (page , paragraph [0952]). Mourad in addition teaches that, the method comprising the steps of: receiving promotional metadata from a first web broadcast channel, the promotional metadata related to data available for reception (abstract). Mourad further teaches that, FIG. 11 is a flow diagram of a method to calculate an encoding rate factor for the Content Preprocessing and Compression tool of FIG. 8 according to the present invention (page 4, paragraph [0032]). Mourad additionally teaches that, the base components of the Secure Digital Content Electronic Distribution System are: (1) rights management for the protection of ownership rights of the content proprietor; (2) transaction metering for

immediate and accurate compensation; and (3) an open and well-documented architecture that enables Content Provider(s) to prepare content and permit its secure delivery over multiple network infrastructures for playback on any standard compliant player (page 6, paragraph [0166]).

As per claim 6, Mourad teaches that, "The system accordinq to claim 1 characterized by capability of automatic transformation of the multimedia contents to be displayed in a mail or alert system in accordance with structure of SEO executed HTML contents displayed on WWW, and by transmitting the contents to the said several display server group which are transformed in the HTML contents and stored in the multimedia contents database" the packages 2006 transmitted by the Broadcast Center(s) 1802 are transmitted and received at the Set-Top Box(es) 1804. The Set-Top Box(es) 1804 generates a GUI (graphical user interface) using a GUI generator such as the exemplary illustrations of the user screens shown in FIGS. 22-27 below (page 57, paragraph [1214]). Mourad further teaches that, electronic Digital Content Store(s) 103 also use the Metadata SC(s) 620 by extracting metadata information from them to build HTML pages on their web sites that present descriptions of Content 113 to End-User(s), usually so they can purchase the Content 113 (page 17, paragraph [0370]).

As per claim 7, Mourad discloses that, "The system according to claim 1 characterized by capability to create most optimized combination of dynamic and static pages, change link structure, and automatically change page structure by using

template pages, by manual operation, or by systematically and closely interoperating HTML constructing generation system, tracking analyzing system, and marketing control system, in order to increase the possibility to make the specific pages of a homepage site be object of the outside search engines" Packages 2006 are organized in two sets : static offering (not shown) and dynamic offering (not shown). The static offering represents the set of active packages 2006, i.e., packages 2006 that currently being broadcasted in carousel. The dynamic offering represents a set of packages 2006 that are available at the server and not currently broadcasted (page 48, paragraph [0960]).

As per claim 8, Mourad discloses that, "The system accordinq to claim 1 characterized by capability to increase the possibility to make a specific page of the a homepage site by manually or automatically changing the link system structure of said commerce site and by changing the status of the mixture of both dynamic pages and static pages, and by changing the page structure by adopting template, in accordance with the said rule database storing rules gained through the existing know-how and tracking system measuring transaction volume of the said commerce site" the Usage Conditions for the Content 113 are entered into the Content Information Processing Subsystem, this can be done either manually or automatically. This data includes copy restriction rules and any other business rules deemed necessary. All of the metadata entry can occur in parallel with the Audio Processing for the data (page 12, paragraph [0267]). Furthermore Mourad teaches that, even minor text changes requires that the

SC(s) be rebuilt due to internal security features of SC(s). To avoid unnecessary re-processing time, it is highly recommended that the interim quality assurance steps be utilized to assure accuracy of the metadata and that this specific quality assurance step be reserved for validating appropriate cross references between the SC(s) associated with this song. If problems are found, the assurer can enter a problem description to be attached to the song and have it re-queued to the appropriate processing queue for reprocessing. Status is updated appropriately in the Work Flow Manager 154 to indicate the status of all related components of the song. If no problems are discovered, the Content 113 is marked or flagged as ready for release (page 40, paragraph [0851]).

As per claim 9, Mourad teaches that, "The system according to claim 1 characterized by capability to display a homepage site as the most optimized HTML structured home page by returning the said transformed optimized structured HTML contents to the commerce display server of the outside commerce server after transmitting said homepage of the outside commerce site by means of the said crawling system and the said HTML constructing generation system, and by capability to transfer the dynamic page system by synchronizing with transferred link system through the instruction to the commodity database system at the outside commerce site in case that the said HTML constructing generation system transfers the link structure for SEO purpose" in this example, the account information can be synchronized back with the Web Store 2306 or synchronized latter with the ClearingHouse(s) 105 as decided by the provider of the Content 113. The cache manager 2320 examines the Album+DSC(s)

Buffer 2324 to determine if the corresponding Content SC(s) 630 is locally available for retrieval. If the correct Content SC(s) is available, it is retrieved and passed to the Player Application 195 for processing selects. In the event the corresponding Content SC(s) 630 is not available, the cache manager 2320 subscribes to the next Content SC(s) 630 broadcast. Returning to the music example, the broadcast and download is the "Madonna Material Girl" selection. A screen with additional optional information is presented to the user once the cache manager 2320 schedules the correct download channel and times as shown in FIG. 32 (pages 58-59, paragraph [1232]).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Korolev; Anatoly Y. et al., US 6438539 B1 patented on August 20, 2002 discloses, "Method for retrieving data from an information network through linking search criteria to search strategy".

Reisman; Richard, US 7062488 B1 patented on June 13, 2006 discloses, "Task/domain segmentation in applying feedback to command control".

Swanson; Leslie H., US 7299202 B2 patented on November 20, 2007 discloses, "Intelligent multimedia e-catalog".

Stern; Jonathan et al., US 6983282 B2 patented on January 3, 2006 discloses "Computer method and apparatus for collecting people and organization information from Web sites".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD S. ROSTAMI whose telephone number is (571)270-1980. The examiner can normally be reached on Monday - Thursday, 7:30 A.M - 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pierre M. Vital can be reached on 571-272-4215. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mohammad S. Rostami

February 25, 2008

/Etienne P LeRoux/

Primary Examiner, Art Unit 2161